

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

SAMUEL E. WYLY and DONALD R. MILLER,
JR., in his capacity as the Independent Executor of
the Will and Estate of Charles J. Wyly, Jr.,

Defendants,

and

CHERYL WYLY et al.,

Relief Defendants.

No. 1:10-cv-05760-SAS

STIPULATION AND
[PROPOSED] ORDER

Relief Defendant Kelly Wyly O'Donovan and Plaintiff, the Securities and
Exchange Commission, through their undersigned counsel, hereby stipulate as follows:

WHEREAS on November 13, 2014, the Court entered a stipulation and order
amending the Court's asset freeze order dated November 3, 2014, to permit Finbarrs Limited to
continue to operate its restaurant business, Finbarr's, through December 31, 2014, and to permit
Wyly Works, Inc., to continue to operate the its art and jewelry gallery, the Elliott Yeary Gallery,
through December 31, 2014;

WHEREAS Ms. Donovan has supplied the SEC with additional documentation
concerning both businesses; and

WHEREAS the SEC has agreed to Ms. O'Donovan's request, subject to this Court's approval, to extend the date until which those entities may continue to operate those businesses until April 15, 2015, unless the Court orders otherwise;

WHEREAS Ms. O'Donovan has agreed not to take any salary or payments of any kind from either of these businesses while the asset freeze remains in effect as to her;

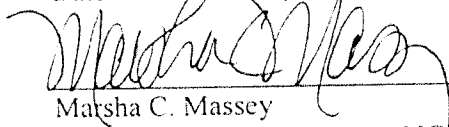
WHEREAS no other relief defendants will take any salary or payments of any kind from either of these businesses while the asset freeze remains in effect as to them;


IT IS HEREBY STIPULATED AND AGREED that the Court's asset freeze order dated November 3, 2014, is further modified as follows:

1. Finbarrs Limited may continue to operate its restaurant business, including purchasing and selling food, beverages, and merchandise and funding its payroll and other ordinary and necessary operating expenses using cash it currently holds and future operating revenue until April 15, 2015, unless and until the Court orders otherwise; and

2. Wyly Works, Inc. may continue to operate the Elliott Yeary Gallery, including purchasing and selling art works and jewelry and funding its payroll and other ordinary and necessary operating expenses using cash it currently holds and future operating revenue, until April 15, 2015, unless and until the Court orders otherwise.

Dated: December 4, 2014


Marsha C. Massey
SECURITIES AND EXCHANGE
COMMISSION
Supervisory Ass't Chief Litigation Counsel
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*Attorneys for Relief Defendant Kelly Wyly
O'Donovan*

SO ORDERED, this 8th day of December, 2014


HONORABLE SHIRA A. SCHEINDLIN
UNITED STATES DISTRICT JUDGE *enc*